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May 1, 2015

MEMORANDUM

TO: THE HONORABLE ANN KOBAYASHI
HONOLULU CITY COUNCIL

FROM: DENISSE GEE, LEGISLATIVE ANALYST *dg*
OFFICE OF COUNCIL SERVICES

THROUGH: CHARMAINE T. DORAN, DIRECTOR *Jan*
OFFICE OF COUNCIL SERVICES

SUBJECT: CONSISTENCY OF COUNCILMEMBERS' CD2 PROPOSED CAPITAL PROJECTS WITH PUBLIC INFRASTRUCTURE MAPS

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The proposed CD2 amendments submitted via Council Communication 171 (April 28, 2015) by Councilmembers to the Clerk's Office for inclusion in Bill 14 (2015), CD1, the proposed Executive Capital Budget for FY 2016, have been reviewed for consistency with the City's public infrastructure maps ("PIMs").

A. CRITERIA

Chapter 4, Article 8, Revised Ordinances of Honolulu, 1990, as amended ("ROH") relates to the adoption of PIMs, and specifies which major public facilities must be shown on a PIM prior to the appropriation of land acquisition or construction funds.

A project qualifies as a major public infrastructure if it meets the following criteria:¹

1. It has a significant impact on surrounding land uses or the natural environment;

¹ Sec. 4-8.4, ROH.

2. It establishes a new facility;
3. It substantially changes the function of an existing facility; or
4. It involves modification (replacement or renovation) of an existing facility which would permit significant new development or redevelopment.

However, Section 4-8.1(e), ROH, provides that the Council has the authority to resolve all questions of interpretation regarding whether a project requires placement of a symbol on the public infrastructure map. Almost all the projects reflected in the Councilmembers' proposed amendments to the Executive Capital Budget: 1) are properly designated on a PIM or existing facilities; 2) are exempt or minor projects that do not need to be shown on PIMs; or 3) need not be placed on PIMs since they do not involve appropriations for land acquisition or construction.

B. RESULTS

Of the approximately 49 capital amendments reviewed, two proposed amendments may require a PIM and one proposed project warrants further review because the project description provided was too broad to determine consistency with the applicable development plan.

PROJECTS THAT MAY REQUIRE A PIM AMENDMENT

Project	District	Land Acquisition Funds Requested	Total Funds Requested
Pearlridge Neighborhood Park	2	\$1,123,000 (L)	\$1,133,000 (CF)
Pearlridge Neighborhood Park	8	\$1,000,000 (L)	\$1,133,000 (CF)

These two proposals are substantively the same in that both propose to acquire land on three contiguous parcels (TMK: 9-8-009:001, 008 and 010) to develop a park along the Pearl Harbor waterfront, as recommended by the Clean Water and Natural Lands Commission as one of its FY 2016 priorities. Section 4-8.3(a)(7), ROH, specifies that a neighborhood park is a type of public improvement project that requires an appropriate symbol be shown on the relevant PIM. Thus, the proposed Pearlridge Neighborhood Park project meets the criteria of Section 4-8.3(a)(7), ROH, for amending the Primary Urban Center PIM to add a "P" symbol. As of the date of this memorandum, no resolution amending the Primary Urban Center PIM for this project has been introduced. It is recommended that if the Council wishes to appropriate construction funds for this project for FY 2015-16, it should consider adoption of a resolution² to add a "P" symbol to the Primary Urban Center PIM before July 1, 2015.

² Sec 4-8.2(d), ROH, provides that the Department of Planning and Permitting (DPP) has 75 days following the introduction of such resolution to prepare a report making a recommendation to the Council regarding the PIM amendment(s). Ordinance further provides that unless such DPP report is received by the Council, no action on the Resolution shall be taken prior to the expiration of the 75 days except on a motion supported by 2/3 of the entire Council membership.

PROJECTS WITH INDETERMINATE PIM AMENDMENT REQUIREMENT

One project in the Councilmembers' proposed amendments to the Executive Capital Budget is described in general terms. The project is as follows:

Project	District	Land Acquisition and Construction Funds Requested	Total Funds Requested
Kawela Bay Land Acquisition	2	\$4,900,000 (L)	\$5,000,000 (GI)

The Kawela Bay Land Acquisition Project proposes to include funds to acquire land located at Turtle Bay, Kahuku. This project is a re-appropriation of funds due to lapse at the end of FY 2015. If this project will include a park or a recreational facility, the appropriate "P" or "GB" PIM symbol may be required. If this project conserves the land as open space, a PIM symbol may not be required.

C. RECOMMENDATIONS

In order to ensure that the above projects are in compliance with ordinance requirements, it is suggested that, if the projects are included in the CD2, the Council add the above projects to those already listed in Section 14 of Bill 14 (2015), CD1.

If you have questions, please do not hesitate to contact me.

DG/yl